

02.02.2026
Court No.28
Item No.9
ssi

CRM (A) 4190 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Chanchal Police Station Case No.**970 of 2025** dated **25.07.2025** under Sections **137(2)/140(3)/3(5)** of the BNS read with Section 6 of the Protection of Children from the Sexual Offences Act.

And

In the matter of: **Rina & others.**

.... Petitioners.

Mr. Jaydeep Biswas
Mr. Amanul Islam
Mr. Sourav Mukherjee
Mr. Kaushik Ghosh

...for the petitioners

Mr. Mrityunjoy Chatterjee
Mr. Imdadul Hoque

...for the o.p.no.2

Mr. Soumik Ganguly
Ms. Diksha Ghosh

..for the State

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are an aunt, a cousin and the father of the principal accused. The alleged victim is aged about 17 years and 9 months at present. From the charge sheet, it appears that the alleged survivor had refused to undergo medical examination. Actually, there was a love affair between the principal accused and the alleged minor survivor. Earlier, the two had eloped and Chanchal P.S. Case NO. 989 of 2024 was registered in this regard. In the statement before the learned Magistrate, the victim exonerated the accused, by stating that she had gone to a relative's house as her parents had scolded her. In the earlier case, a final report was submitted.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She refers to the statements of the victim, the statements of the other witnesses. It is a fact that the medical examination has been refused. She also refers to the statements of the victim recorded before the learned Magistrate in the earlier case.

Considering the above and the other materials available in the case diary and the fact that there was an earlier case with substantially similar allegations ending in an exoneration and that a charge sheet has been submitted in this case, I am inclined to grant anticipatory bail to the petitioners.

Accordingly, the application for anticipatory bail of the petitioners is allowed.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on further conditions that the petitioners shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date and shall not threaten or intimidate the witnesses.

The application for anticipatory bail is, thus, disposed of.

(Jay Sengupta, J.)